(2)(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 2021 /2005

PETITIONER

Kuleshwar Prasad, son of Shri Mitthu Prasad Sharma, aged about 25(48) years, Ex-Adhoc Primary School, Bhaisa, Dhangaon, R/o. Padavpara, Mungeli, Distt. Bilaspur (C.G.).G.)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department of Education, D.K.S. Bhawan, Raipur (CG)

2. Director, Lok Shikshan Sanchalnalay, D.K.S. Bhawan, Raipur (CG)

3. District Education Officer, Education Distt. Bilaspur, (Chhattisgarh)

4. State of Madhya Pradesh through : the Secretary, Department of Education, Vallabh Bhawan, Bhopal (M.P.).

P.R. No. 1896/05
Presented by Shri D.K. Bhadauria
dated 27.04.05

WRIT PETITION UNDER ARTICLES 226/227 OF THE C0NSTITUTION OF INDIA

(26)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..WP..2021..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13.6.2005

Shri M.K. Bhaduri, counsel for the petitioner.

Shri Pankaj Shrivastava, Panel Lawyer for the State/respondents No. 1 to 3 on advance copy.

Heard.

The case of the petitioner is that he was appointed as adhoc Assistant Teacher vide order dated 5.09.1981. He joined in the concerned institution on 14.9.1981 and continued on the said post till 13.12.1981. The appointment letter has been filed as Annexure P- 1 and an experience certificate to this effect has been filed as Annexure P- 2.

Learned counsel for the petitioner submits that after completion of the aforesaid period in terms of the appointment letter, Annexure P-1, the services of the petitioner were not extended and the petitioner is out of job since 31.12.1981.

Learned counsel for the petitioner submits that a direction may be given to the respondents for considering the case of the petitioner for his re-appointment on the said post so that, the petitioner may be taken in job again.

On the other hand, learned Panel Lawyer submits that the appointment order, Annexure P-1 itself shows that the said appointment was for a period of 3 months or until further orders, whichever is earlier and on the basis of the said appointment order, the petitioner completed the tenure of 3 months and there

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश –2–	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

is no nexus between the claim of re-appointment and the earlier appointment letter issued in favour of the petitioner.

I have heard learned counsel for the parties at length.

Admittedly, the petitioner was given an appointment for a fixed period of 3 months which he completed on 13.12.1981.

It appears that after the year 1981, the petitioner has not made any effort for getting his case, considering for re-appointment and ultimately after a lapse of about 25 years, he is coming with this writ petition for seeking such a direction. The period of 25 years has not been explained by the petitioner in the petition. The age of the petitioner in the petition has been shown as 48 years.

No provisions of law have been brought to the notice of this Court on the basis which any such direction for considering the case of the petitioner can be issued in his favour. I am not inclined to entertain this petition at this stage after a lapse of 25 years, the petition has no merits. It is dismissed summarily.

Consequently, I.A.No. 3800/2005 and M.W.P.No. 1601/2005 stand disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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